

Applic. No. 10/763,027  
Amdt. dated December 27, 2007  
Reply to Office action of October 4, 2007

Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1-27 remain in the application. Claim 1 has been amended.

In item 2 on page 2 of the above-identified Office action, claims 1-6, 8, 12-14, and 21-23 have been rejected as being obvious fully anticipated by Ota et al. (U.S. Patent No. 5,486,338) (hereinafter "Ota") under 35 U.S.C. § 102.

The rejection has been noted and the claims have been amended in an effort to even more clearly define the invention of the instant application. The claims are patentable for the reasons set forth below. Support for the changes is found on page 5, lines 14-23 of the specification.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, *inter alia*:

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the contraction limiter having a surface-specific heat capacity greater than a surface-specific heat capacity of the matrix.

Claim 1 also calls for, *inter alia*:

at least one contraction limiter configured for imparting an outwardly directed tensile stress in at least one part of the matrix for preventing the average initial diameter of the matrix from decreasing by more than 5% during and/or after a thermal stress.

The Ota reference discloses a metal catalyst carrier constructed for an optimized durability, caused by a radially flexible connection between the honeycomb body and the casing. Ota does not disclose a contraction limiter with a higher surface-specific heat capacity than the honeycomb body.

As seen from the above-given remarks, the Ota reference does not show the at least one contraction limiter having a surface-specific heat capacity greater than a surface-specific heat capacity of the matrix, as recited in claim 1 of the instant application.

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Moreover, on page 2 of the Office action the Examiner stated that "regarding limitations recited in claim 1 which are directed to a manner of operating disclosed system, neither the manner of operating a disclosed device nor material or article worked upon further limit an apparatus claim."

Claim 1 has been amended so as to further limit the structure of the contraction limiter by reciting that the contraction limiter is configured for imparting an outwardly directed tensile stress for preventing the average initial diameter of the matrix from decreasing by more than 5% during and/or after a thermal stress. Therefore, the Examiner's remarks, as noted above, do not apply to amended claim 1.

As seen from the above-given remarks, the Ota reference does not show the at least one contraction limiter configured for imparting an outwardly directed tensile stress in at least one part of the matrix for preventing the average initial diameter of the matrix from decreasing by more than 5% during and/or after a thermal stress, as recited in claim 1 of the instant application.

Since claim 1 is allowable over Ota, dependent claims 2-6, 8, 12-14, and 21-23 are allowable over Ota as well.

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In item 3 on page 5 of the Office action, claims 1-13, 16, 17, 20, and 24-27 have been rejected as being fully anticipated by Cyron et al (U.S. Patent No. 4,795,615) (hereinafter "Cyron") under 35 U.S.C. § 102.

The Cyron reference discloses a catalyst carrier that is permitted to expand lengthwise with respect to its tubular jacket (abstract, column 1, line 52). Therefore, the catalyst body is attached to the tubular jacket using only one point, thereby allowing a lengthwise expansion. In another embodiment, Cyron discloses spacers (4a, 4b, and 4c) that allow the catalyst carrier body to expand in a lengthwise direction relative to the tubular jacket.

Moreover, Cyron discloses that the spacers are formed of metallic woven screens and that a catalyst carrier body is formed of ceramic. In Cyron, the ceramic catalyst carrier body has a higher surface-specific heat capacity than the metallic woven screens.

As seen from the above-given remarks, the Cyron reference does not show the at least one contraction limiter having a surface-specific heat capacity greater than a surface-specific heat capacity of the matrix, as recited in claim 1 of the instant application.

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Moreover, Cyron discloses that the spacers are formed of sheet metal that is as thin as possible and is in the order of about 0.1 mm. Therefore, Cyron does not disclose that the screens are configured for imparting an outwardly directed tensile stress for preventing the average initial diameter of the matrix from decreasing by more than 5% during and/or after a thermal stress.

As seen from the above-given remarks, the Cyron reference does not show the at least one contraction limiter configured for imparting an outwardly directed tensile stress in at least one part of the matrix for preventing the average initial diameter of the matrix from decreasing by more than 5% during and/or after a thermal stress, as recited in claim 1 of the instant application.

Since claim 1 is allowable over Cyron, dependent claims 2-10, 12, 13, 16, 17, 20, and 24-27 are allowable over Cyron as well.

In item 5 on page 9 of the Office action, claims 14, 15, 18, and 19 have been rejected as being obvious over Cyron (U.S. Patent No. 4,795,615) under 35 U.S.C. § 103. Since claim 1 is

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allowable over Cyron, dependent claims 14, 15, 18, and 19 are  
allowable over Cyron as well.

It is accordingly believed to be clear that none of the  
references, whether taken alone or in any combination, either  
show or suggest the features of claim 1. Claim 1 is,  
therefore, believed to be patentable over the art and since  
all of the dependent claims are ultimately dependent on claim  
1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of  
claims 1-10 and 12-27 are solicited.

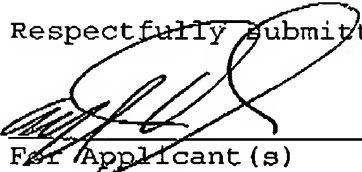
In the event the Examiner should still find any of the claims  
to be unpatentable, counsel respectfully requests a telephone  
call so that, if possible, patentable language can be worked  
out.

If an extension of time for this paper is required, petition  
for extension is herewith made.

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Please charge any other fees which might be due with respect  
to Sections 1.16 and 1.17 to the Deposit Account of Lerner  
Greenberg Stemer LLP, No. 12-1099.

Respectfully submitted,

  
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For Applicant(s)

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